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individually and dba Graddy's Night Club

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

GARDEN CITY BOXING CLUB, INC.,

Plaintiff,

vs.

ERIC BARNETH FLORES, individually and
DBA GRADDY'S NIGHT CLUB,

Defendants.

Case No: 05-CV-00494-OWW TAG

Assigned to the Hon Oliver W. Wanger.

**STIPULATION TO EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S
COMPLAINT FOR PROPERTY
DAMAGE**

IT IS HEREBY STIPULATED by and between Plaintiff, GARDEN CITY BOXING CLUB, INC., ("Plaintiff"), by and through its attorney of record, ERIC BARNETH FLORES, individually and DBA GRADDY'S NIGHT CLUB ("Defendant"), by and through their attorneys of record as follows:

1. Plaintiff commenced its case by filing a Complaint for Damages ("Complaint") on April 14, 2005. Defendant was served with the Complaint and is required to respond to it by September 20, 2005.

2. Plaintiff and Defendant have engaged in settlement negotiations and have reached a tentative settlement. The parties are formalizing the settlement and expect to have an executed settlement agreement within 45 days. The parties believe it appropriate to stipulate to extend the time for Defendant to respond to the Complaint by 45 days.

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Therefore, it is stipulated that the deadline under Federal Rules of Civil Procedure Rule 12 for responding to the Complaint be extended to November 1, 2005.

Dated: September ____, 2005

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: /s/ Thomas P. Riley
THOMAS P. RILEY
Attorneys for Garden City Boxing Club, Inc.

Date: September ____, 2005

KLEIN, DeNATALE, GOLDNER,
COOPER, ROSENLIB & KIMBALL, LLP

By: /s/ Dawn Bittleston
DAWN BITTLESTON
Attorneys for Defendants Eric Barneth Flores,
individually and dba Graddy's Night Club

ORDER

Based upon the stipulation of the parties, it is hereby ordered that the deadline for Defendant s ERIC BARNETH FLORES, individually and DBA GRADDY'S NIGHT CLUB to respond to Plaintiff's Complaint, shall be and hereby is extended to October 31, 2005.

Dated: __September 16, 2005__

/s/ OLIVER W. WANGER

JUDGE OF THE DISTRICT COURT

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